

Message Text

LIMITED OFFICIAL USE

PAGE 01 RIO DE 02888 301556Z

66

ACTION L-03

INFO OCT-01 ARA-06 ISO-00 JUSE-00 CIAE-00 INR-07 NSAE-00

/017 W

----- 076101

R 301445Z JUL 76

FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC 3964

INFO AMEMBASSY BRASILIA

LIMITED OFFICIAL USE RIO DE JANEIRO 2888

FROM RUBIN

EO 11652: NA

TAGS: PFOR, IAJC, OAS

SUBJ: INTERAMERICAN JURIDICAL COMMITTEE

1. THE PRESENT SESSION OF THE IJC ENDS TODAY SINCE A QUORUM WILL NOT BE PRESENT HEREAFTER. REMAINING MEMBERS WILL CONSTITUTE A WORKING GROUP DEALING PROVISIONALLY WITH DRAFTS ON EXTRADITION AND FOR CIDIP II (PRIVATE INTERNATIONAL LAW CONFERENCE).

2. PRESENT SESSION HAS BEEN FRUSTRATING AND DAMAGING TO PRESTIGE OF IJC AND TO ITS ABILITY TO FUNCTION USEFULLY. PRINCIPAL REASONS FOR THIS RESULT HAVE BEEN LARGE DEGREE OF ABSENTEEISM (FOUR MEMBERS HAVE NOT ARRIVED AND OF THOSE ONE IS DUE ONLY NEXT MONDAY) PLUS PRETENTIOUSNESS AND PERHAPS UNINTENDED OBSTRUCTIONISM OF TWO NEW MEMBERS. THUS, WITH SIX VOTES NECESSARY FOR ANY AFFIRMATIVE ACTION AND ONLY SEVEN MEMBERS PRESENT, NEW MEMBERS PLUS CAICEDO CASTILLA WERE ABLE TO PREVENT ELECTION OF NEW OFFICERS, DESPITE FACT THAT TERMS OF CHAIRMAN (GALINDO POHL, NOW NO LONGER A MEMBER) AND AJA ESPIL, WHO HAS BEEN FUNCTIONING AS CHAIRMAN, EXPIRE IN SEPTEMBER. IN FACT, COMMITTEE WAS NOT ABLE EVEN TO ELECT A NEW VICE CHAIRMAN TO ACT DURING REMAINDER THIS SESSION SINCE OBSTRUCTIONIST VOTES WERE CAST FOR MEMBERS WHO HAD UNEQUIVOCALLY STATED THAT THEY WOULD NOT BE PRESENT AT THIS SESSION. FAUT DE MIEU CAICEDO IS NOW PRESIDENT AD HOC UNTIL

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 RIO DE 02888 301556Z

NEXT SESSION. ONE CONSEQUENCE OF THIS UNSEEMLY SPECTACLE IS THAT

GOMEZ ROBLEDO OF MEXICO, WHO HAD INTENDED TO STAY ANOTHER TWO WEEKS, DEPARTS TOMORROW. THE SPIRIT OF COURTESY AND MUTUAL RESPECT HAS AT LEAST FOR THE MOMENT DISAPPEARED.

3.ON THE TWO SUBSTANTIVE ISSUES, EXTRADITION AND CIDIP DRAFTS, LITTLE PROGRESS HAS BEEN MADE, DESPITE GOOD WORK OF ZANOTTI AND OAS LEGAL STAFF ON EXTRADITION DRAFT. LOPEZ, WHO WAS DESIGNATED RAPPORTEUR VICE MATERNO VASQUEZ, HAS TAKEN INORDINATE AMOUNT OF TIME IN READING WRITTEN REPORTS WHICH ARE BEFORE THE COMMITTEE AND MAKING LONG IRRELEVANT ARGUMENTS. MOST AMENDMENTS SUGGESTED BY WORKING GROUP, WHICH WERE INCORPORATED IN REVISED DRAFT, HAVE BEEN REJECTED SIMPLY BECAUSE OF INABILITY TO MUSTER SIX OUT OF SEVEN VOTES. THESE MATTERS CONTINUE ON AGENDA FOR NEXT SESSION WHICH HAS BEEN SET FOR JANUARY 10, 1977.

4. THOUGH AS IS EVIDENT FROM ABOVE I HAVE LITTLE CONFIDENCE IN ABILITY OF COMMITTEE TO JUSTIFY ITS COST, AT LEAST AS PRESENTLY COMPOSED, I JUDGE THAT ANY ATTEMPT TO SCRAP IT WOULD BE FIERCELY RESISTED. I DO SUGGEST A FRANK TALK WITH OAS SECRETARY GENERAL LEADING TO SOME REVISIONS OF REGULATIONS AND PROCEDURES. CLEARLY, QUORUM REQUIREMENTS SHOULD BE CHANGED TO RECOGNIZE FACT THAT SOME MEMBERS DO NOT COME (RATTRAY OF JAMAICA HAS BEEN PRESENT NO MORE THAN ONE WEEK IN MY TWO YEARS ON THE COMMITTEE) AND OTHERS COME AND GO EARLY OR COME LATE. A SECOND SUGGESTION IS TO RETURN TO SOMETHING LIKE THE OLD SYSTEM OF HONORARIA. THIS WAS CHANGED FROM A FLAT SUM IF A MEMBER ATTENDED A SESSION TO A DAILY RATE OF \$80 FOR ATTENDANCE WHILE COMMITTEE IS "IN SESSION." THIS, PLUS INTERPRETATION THAT COMMITTEE CAN CONTINUE IN SESSION IN WORKING GROUP EVEN IF QUORUM IS ABSENT, PROVIDES STRONG INCENTIVE TO DRAG EVERY MEETING ON TO MAXIMUM PERMITTED.

5. I DEPART VIA BRASILIA JULY 31.
DEXTER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INTERNATIONAL LAW MEETINGS, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976RIODE02888
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760295-0795
From: RIO DE JANEIRO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976074/aaaaadfy.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 16 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 JUL 2004 by CunninFX>; APPROVED <19 JUL 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INTERAMERICAN JURIDICAL COMMITTEE
TAGS: PFOR, IAJC, OAS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006